



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE August 5, 2005	CONTACT/PHONE Karen Nall 805/781-5606	APPLICANT Leo and Karen Haverly and Tom and Deb Harris	FILE NO. COAL 05-0056 SUB 2004-00297
SUBJECT Request by Leo and Karen Haverly and Tom and Deb Harris for a Lot Line Adjustment to adjust the lot lines between three parcels of 19.59, 9.72 and 9.72 acres each. The adjustment will result in three parcels of 15.62, 10.00 and 13.41 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the agricultural land use category and is located 5995 North River Road approximately four miles north of the City of Paso Robles. The site is in the Salinas River planning area			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0056 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on June 28, 2005.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard	ASSESSOR PARCEL NUMBER 026,431,003	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None			
LAND USE ORDINANCE STANDARDS: None			
EXISTING USES: Single-family residences, agricultural accessory buildings, horse ranch, forage hay			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/ dry farm, scattered residences <i>East:</i> Agriculture/ dry farm, scattered residences <i>South:</i> Agriculture/ dry farm, scattered residences <i>West:</i> Agriculture/Salinas River			
TOPOGRAPHY: Moderately sloping		VEGETATION: Forage hay	
PROPOSED SERVICES: Water supply: On-site shared well Sewage Disposal: Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: June 23, 2005	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between three legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
19.59	15.62
9.72	10.00
9.72	13.41

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in a better configuration of the three parcels. The new configuration of Parcel 1 will resolve encroachment problems by including all the existing buildings on the west side of River Road. Parcel 2 will be 10 acres with prime agricultural soils. Parcel 3 will encompass all land on the east side of North River Road. The Agricultural Commissioner's Office has reviewed the request and is in support of the adjustment.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

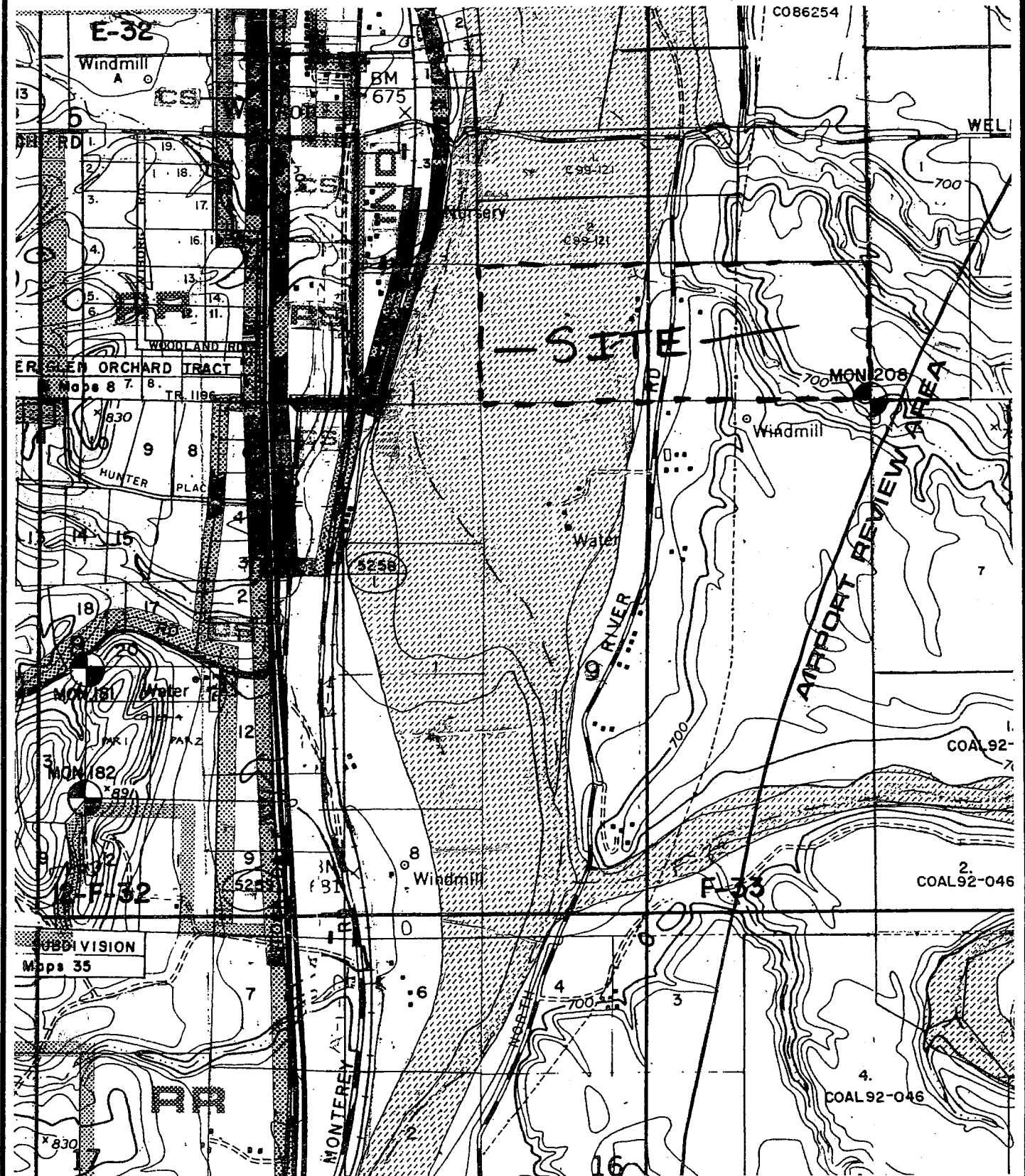
The three existing lots were legally created through deeds. Certificate of Compliance C2004-600 was subsequently issued.

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because parcel size is below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15305 because this is a minor lot line adjustment that is not resulting in the creation of any new parcels.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
 - c. 100 year flood inundation elevation.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action.
10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.



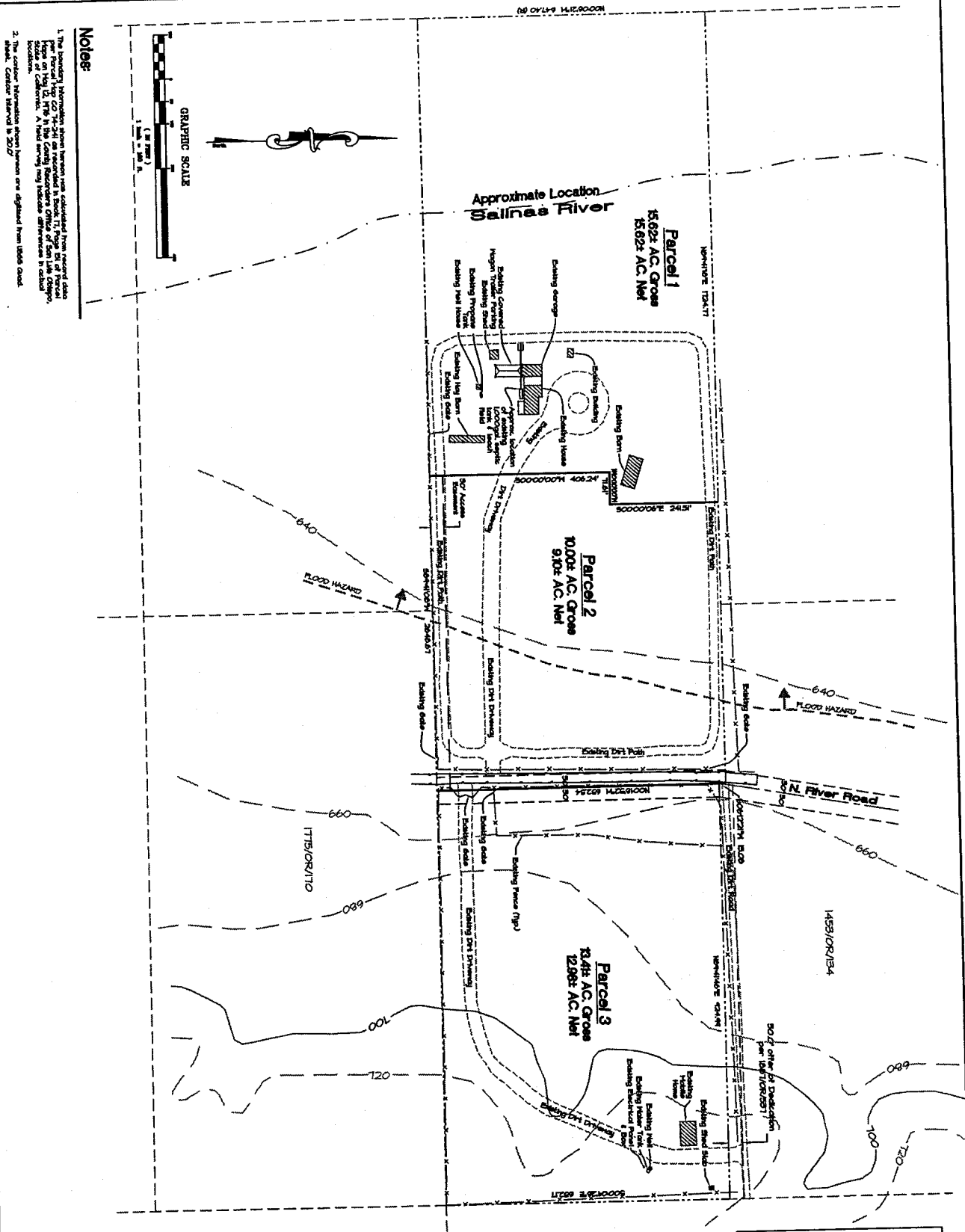
PROJECT

Harris COAL 05-0056



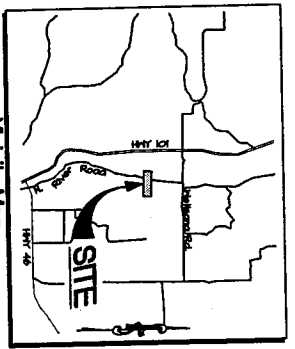
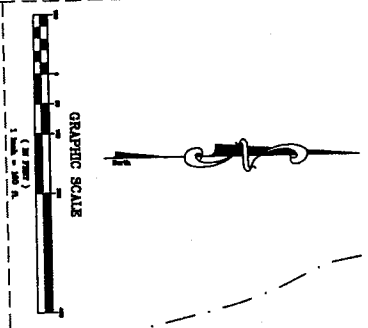
EXHIBIT

SUB 2004-00297



Notes:

1. The boundary information shown herein was calculated from recorded data and is not a survey. The survey was conducted by a Licensed Professional Surveyor on May 12, 1976 in the County Recorder's Office of San Luis Obispo, State of California. A third bearing and distance difference is noted.
2. The boundary information shown herein was digitized from 1966 aerial photo. Contour Interval is 20'.0'



Existing Lot Configuration
Not to Scale

Parcel 1 (Duck 200004046)	8,128 AC
Parcel 2 (Duck 200004048)	9,728 AC
Parcel 3 (Duck 200004047)	9,728 AC

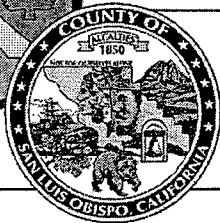
Tentative Lot Line Adjustment
Map No: COAL 05-0056

Being an adjustment of the lot lines located in the South Half of the Northwest Quarter of the Northwest Quarter and the South Half of the Northwest Quarter of the Northwest Quarter of Section 9, T. 26 S., R. 12 E., M.D.M. in the County of San Luis Obispo, State of California.

Prepared for: Clark Co.
1251 Pine Street
Paso Robles, CA 93446

APN: 026-181-008
FATCO: 400-161094 (L)

VAUGHAN SURVEYS, INC.
701 Riverside Avenue
Paso Robles, California 93446
(805) 288-5725
JBB: 04-120 5-6-05
File: 04122024ng
Last Revised: 5-5-05 PK



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

May 31, 2005

North County
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # SUB2004-00297 (COAL 05-0056): Harris

Dear North County Team,

I have reviewed the referral for the parcel map plans for the proposed Lot Line Adjustment for three parcel subdivision project located at 5995 North River Road. This project is located approximately 10 to 15 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a Moderate Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - Parcels 5 acres to 19.99 acres 2640 feet
 - Parcels 20 acres or larger 5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.

- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

Chad T. Zrelak

Chad T. Zrelak

cc: Harris

Vaughan Surveys, Inc.



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY (805) 781-5910
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: May 24, 2005
TO: Karen Nall, Senior Planner
FROM: Michael Isensee, Agricultural Resource Specialist *mgd*
SUBJECT: Harris LLA Sub2004-00297 (COAL05-0056) Ag Dept #1018

SUMMARY OF FINDINGS

The Agriculture Department's review of the proposed Harris Lot Line Adjustment (LLA) finds that, overall, the proposed parcels are equal to the existing parcels and configuration and will not result in any significant adverse impacts to agricultural resources or operations.

The County Department of Agriculture supports lot line adjustments that either improve agriculture or do not adversely impact agricultural potential on parcels involved in the adjustment, utilizing the agricultural policies of the Agriculture and Open Space Element of the county General Plan; Title 21, the Real Property Division Ordinance (§21.02.030.c); and a review of the potential impacts to agricultural resources. This determination is based on a comparison of the proposed and existing parcels when considering potential long-term impacts to agricultural resources and operations.

The existing configuration of the approximately 19.6, 9.7 and 9.7 acre parcels (current parcels 1, 2, and 3, respectively) is not detrimental to agricultural production while under single ownership. However, the existing configuration places a portion of each parcel on opposite sides of North River Road and divides the existing agricultural and visitor-serving infrastructure onto portions of each current parcel. Managing an agricultural operation on any one of the current parcels would be difficult due to their relatively narrow nature and the presence of North River Road. The proposed adjustment utilizes North River Road as a logical division between parcels and places most of the existing tillable land onto two proposed parcels (proposed parcels 2 and 3).

The Agriculture Department would encourage the applicant to limit future development on proposed parcels 2 and 3 to minimize the impact to the high quality soils on these parcels. Right-to-farm notification should be provided to any future successor in interest of any of the parcels as per County Code §5.16.

These comments and recommendations are based on current departmental objectives to conserve agricultural resources and to provide for public health, safety and welfare, while mitigating negative impacts of development to agriculture. If you have any additional questions, I can be reached at 781-5753.

INTRODUCTION

The project site is approximately 2 miles north of Paso Robles and east of the Salinas River. North River Road bisects the property. The property is zoned Agriculture and is surrounded by parcels also zoned Agriculture. Existing agricultural operations in the area consist of wine grapes; dry-farm grain and hay; pasture and alfalfa, and a few small truck farms or u-pick operations. The property is currently home to Harris Stage Lines, a horse driving, training and entertainment ranch that is a host to horse-based tourism and also trains working horses.

CROPS & SOILS

The Harris property has been utilized to grow forage hay on approximately 18 acres divided between two fields located on either side of North River Road. The site consists of several high quality soil types as well as the Salinas River. Table 1 provides information on the site's soils.

TABLE 1: Soil Types on Current Parcels						
SYMBOL	SOIL NAME	SLOPE %		Irrigated	Nonirrig	ACRES
106	ARBUCKLE-SAN YSIDRO COMPLEX	2-9	State	III	IV	6.4
150	HANFORD & GREENFIELD GRAVELLY SANDY LOAMS	2-9	Prime	II	IV	8.7
183	PICO FINE SANDY LOAM	0-2	Prime	I	IV	14.2
212	XEROFLUENTS-RIVERWASH ASSOCIATION	NA		VI-VIII	VI-VIII	9.5

The proposed LLA will create two parcels (proposed parcels 2 and 3) which would consist entirely of high quality soils, while proposed parcel 1 would consist of the approximately 10 acres of riverbed and an additional 6 acres of upland area which is developed with a variety of structures and horse facilities. Based upon current minimum parcel sizes for agricultural lands, none of the parcels would be considered a sustainable agricultural site in either the current or proposed configuration. Table 2 presents the acreage change of the proposed LLA based upon soil capability.

Table 2: Current and Proposed Parcels Irrigated* Soil Capability Acreages						
	Current Acreage (approx)			Proposed Acreage (approx)		
	1	2	3	1	2	3
I & II (Prime)	11.3	5.9	5.7	6.0	9.6	7.3
III	2.9	1.7	1.8			6.4
VI, VII, VIII	5.2	2.3	2.0	9.4		
TOTAL	19.4	9.9	9.5	15.4	9.6	13.7
*Note: Soils must be irrigated to be designated prime.						

EVALUATION

The factors that are considered by the Agriculture Department in evaluating a LLA include:

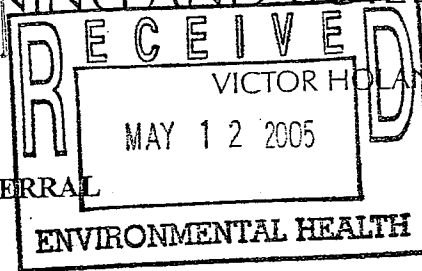
- 1) the configuration of the property lines,
- 2) the presence of agriculturally productive soils,
- 3) the eligibility of the resulting parcels for agricultural preserve contracts, and
- 4) any other issues creating incompatibility with agriculture.

For a LLA to be considered equal to or better than the existing configuration, no factor should worsen when compared to the existing configuration.

1. The proposal utilizes topography and existing development (North River Road and existing structures) as the basis for the proposed LLA. None of the existing parcels are configured logically for agricultural operations. Utilizing the existing road as a dividing line and placing essentially all of the available soils with agricultural capability on two parcels (proposed parcels 2 and 3) is an improvement of the existing configuration. *In this regard the proposed LLA is better than the existing configuration.*
2. The proposed configuration consolidates the most agriculturally productive soils on two parcels and uses the road as a logical division between the parcels. This is an improved configuration when compared with the existing arrangement, which divides the capable soils between all three parcels. However, none of the current or proposed parcels meet any current standard for minimum parcel size in an agricultural zoning designation. *In this regard the proposed LLA is equal to the existing configuration.*
3. The project site is not large enough to enter into an agricultural preserve in either its current or proposed configuration. *In this regard the proposed LLA is equal to the existing configuration.*
4. There do not appear to be other agricultural factors to consider with regard to this LLA. The Agriculture Department would encourage the applicant to limit future development on proposed parcels 2 and 3 to minimize the impact to the high quality soils on these parcels. Right-to-farm notification, as per County Code §5.16 should be provided to any future successor in interest of any of the parcels.



6
 MAY 16 2005
 DEPARTMENT OF PLANNING AND BUILDING



Revised

THIS IS A NEW PROJECT REFERRAL

DATE:

3/28/05 5/12/05

TO:

Env Health

FROM:

North Co. Team

(Please direct response to the above)

HARRIS / COAL 05-0056

SUB2004-00297

Project Name and Number

Development Review Section (Phone:

788-2009)

*OR ASK THE SWITCH-BOARD FOR THE PLANNED

PROJECT DESCRIPTION:

LLA * COAL-05-005. Between 3 parcels-to be
1) 10.54 acres, 2) 15.08 acres, & 3) 13.41 acres. Combined total
of 39.03 acres off N. River Rd, Paso Robles. APN: 026-431-003.

Return this letter with your comments attached no later than:

4/12/05 6/12/05

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

 YES
 NO

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE

This office requested a full site map detailing the on-site
septic systems in order to determine if the adjustment
is approvable.

5/13/05
 Date

L. Salas
 Name

781-5357
 Phone